

The parties' letter-motion requesting to adjourn the settlement conference (ECF No. 198) is GRANTED, and the upcoming settlement conference is ADJOURNED until **Friday, May 28, 2021 at 10:00 am** on the Court's conference line, with the parties' submissions due **Monday, May 24, 2021**. The Court's Settlement Practices & Standing Order Applicable to Settlement Conferences (ECF No. 179) are incorporated by reference to this order.

The Clerk of Court is respectfully directed to close ECF No. 198.

SO-ORDERED 4/2/2021

  
SARAH L. CAVE  
United States Magistrate Judge

Re: Ciaramella et al. v. Zucker,  
No. 18 Civ. 6945 (MKV)

Dear Judge Cave:

The undersigned counsel represent plaintiffs Frank Ciaramella, Lillian Velazquez, AnneMarie Walker, Antonio Martin, Christopher Russo, Matthew Adinolfi, Jody Virtuoso, Yvonne Hawkins, Blanca Coreas, and Brenda Perry on behalf of themselves and all others similarly situated (“Plaintiffs”), and defendant Howard Zucker, sued in his official capacity as Commissioner of the New York State Department of Health (“Defendant”) (together, the “Parties”). As required by Your Honor’s Individual Rule I(E), the Parties respectfully write jointly to request that the Court postpone the settlement conference currently scheduled for Monday, April 12, 2021 at 10:00 a.m. until either May 28, 2021, or May 31, 2021. This is the Parties’ third request to adjourn the settlement conference. This Court previously adjourned the settlement conference twice to reflect the extension of the discovery deadlines by Judge Vyskocil.<sup>1</sup> All Parties consent to the requested adjournment, and all counsel are available to attend the settlement conference on these dates.

The Parties have discussed a potential settlement. On February 17, 2021, the Parties met and conferred to address existing settlement proposals and are now clarifying further issues arising from these proposals. The Parties believe that a settlement conference will be most productive after the Parties have had the opportunity to engage in further settlement discussions, which will allow the Parties to develop and investigate the issues in the case germane to a reasonable settlement. The Parties therefore respectfully request that the Court grant the request to adjourn the settlement conference until May 28, 2021 or May 31, 2021.

Respectfully submitted,

/s/ Mary Eaton  
Mary Eaton  
Freshfields Bruckhaus Deringer US LLP  
*Counsel for Plaintiffs*

/s/ Cara B. Chomski  
Cara B. Chomski<sup>2</sup>  
Assistant Attorney General  
*Counsel for Defendant Howard Zucker*

Cc: All counsel of record (by ECF)

<sup>1</sup> On December 1, 2020, this Court adjourned the settlement conference initially scheduled for December 10, 2020 until February 25, 2021. (See ECF No. 172.) On February 18, 2021, this Court adjourned the settlement conference again until April 12, 2021. (See ECF No. 188.)

<sup>2</sup> Defendant’s counsel has given Plaintiffs’ counsel consent to e-sign the foregoing letter motion.